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15 Attorneys for Plaintiffs,
MYGUIDE HOLDING GMBH
16 and MYGUIDEGPS LTD.

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

21 MYGUIDE HOLDING GMBH)
and MYGUIDEGPS LTD.,) Case No. C 08-0057 JF
22 Plaintiffs,)
23 v.)
24 RANDOLPH KEMPS, an individual,)
ARES DIGITAL, INC., and MYGUIDE)
(USA) INC.)
25 Defendants .)
26)
27)
**STIPULATION AND [PROPOSED]
ORDER SELECTING ADR PROCESS**

1 RANDOLPH KEMPS, an individual,)
 2 ARES DIGITAL, INC., and MYGUIDE)
 (USA) INC.)
)
 3 Counterclaimants,)
)
 4 v.)
)
 5 MYGUIDE HOLDING GMBH)
 and MYGUIDEGPS LTD.,)
 6 RANDOLPH KEMPS, an individual,)
 ARES DIGITAL, INC., and MYGUIDE)
 (USA) INC.)
)
 8 Counterdefendants.)
)
 9

10 Counsel report that they have met and conferred regarding ADR and have reached the
 11 following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:
 12

1. The parties agree to participate in Mediation pursuant to ADR L.R. 6.
2. The parties will endeavor to conduct the mediation within thirty days of the entry of the Case Management Order. However, the parties request that the deadline for completion of mediation be set at 90 days from entry of the Case Management Order.
3. The parties agree to consider the use of further ADR processes during the course of the litigation and before the trial of the matter if the proposed initial mediation is not successful.

19 Dated: April 11, 2008

Respectfully submitted,

20 KILPATRICK STOCKTON LLP
 21 and
 22 HARVEY SISKIND LLP

23 _____
 24 /s/
 Seth I. Appel

25 Attorneys for Plaintiffs/Counterdefendants
 26 MyGuide Holding GmbH and MyGuideGPS Ltd.
 27
 28

1 Dated: April 11, 2008

THE MORALES LAW FIRM

2 _____/s/

3 David P. Morales

4 Attorney for Defendants/Counterclaimants
5 Randolph Kemps, Ares Digital, Inc.,
and MyGuide (USA), Inc.

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8 **[PROPOSED] ORDER**

9 Pursuant to the Stipulation above, the captioned matter is hereby referred to Mediation
10 pursuant to ADR L.R. 6. The deadline for completion of the mediation shall be 90 days from the
11 entry of the Case Management Order.

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13 **IT IS SO ORDERED.**

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15 Dated: 4/16/08

16 
The Honorable Jeremy Fogel
United States District Court Judge

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